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REPORT TO THE 1985 GENERAL ASSEMBLY OF NORTH CAROLINA

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STATE OF NORTH CAROLINA

LEGISLATIVE RESEARCH COMMISSION

STATE LEGISLATIVE BUILDING

RALEIGH 27611

December 13, 1984

TO THE MEMBERS OF THE 1985 GENERAL ASSEMBLY:

The Legislative Research Commission herewith reports to the 1983 General Assembly (Regular Session 1984) on the matter of the adequacy of existing water pollution control programs to improve and protect water quality in the state. This report is made pursuant to the authority of G.S. 120-30.17(2) and subdivision (6) of section 1 of Chapter 905 of the 1983 Session Laws (House Bill 1142).

This report was prepared by the Legislative Research Commission's Committee on Water Pollution Control and is transmitted by the Legislative Research Commission for your consideration.

Respectfully submitted,

Liston B. Ramsey

W. Craig Lawing

Cochairmen
Legislative Research Commission

INTRODUCTION

The Legislative Research Commission was created by Article 6B of Chapter 120 of the General Statutes of North Carolina. Originally created in 1965 the Commission is authorized, pursuant to the direction of the General Assembly, "to make or cause to be made such studies of and investigations into governmental agencies and institutions and matters of public policy as will aid the General Assembly in performing its duties in the most efficient and effective manner." G.S. 120-30.17(1). The Commission is also authorized "to report to the General Assembly the results of the studies made" and to accompany these reports with recommendations and proposed legislation. G.S. 120-30.17(2). The Research Commission is cochaired by the Speaker of the House and the President Pro Tempore of the Senate and includes five additional members from each House of the General Assembly. Appendix A contains a list of members for 1983-85.

In view of the fact that water is one of our most valuable natural resources and recognizing that a clean water supply is important to the well-being of our citizens and is basic to our state's long-term economic growth, the 1983 General Assembly, in Chapter 905 of the 1983 Session Laws (House Bill 1142) authorized the Research Commission to study "adequacy of existing water pollution control programs to improve and protect water quality in the state." This study was originally

proposed in the committee substitute for House Bill 232. See appendices B and C. Section 6 of Chapter 905 of the 1983 Session Laws authorizes the Research Commission to "report its findings, together with any recommended legislation, to the 1984 Session of the General Assembly or to the 1985 General Assembly, or the Commission may make an interim report to the 1984 Session and a final report to the 1985 General Assembly. Appendix A includes a list of members of the Water Pollution Control Study Committee. Senator Allsbrook died prior to the 1984 Session of the 1983 General Assembly and there was no appointment of someone to replace him on the Study Committee.

The Study Committee's report to the 1984 Session of the 1983 General Assembly included five recommended pieces of legislation. The Committee urged enactment of legislation to amend the Sedimentation Pollution Control Act of 1973 to enable the Sedimentation Control Commission to act on plans submitted by private developers. The General Assembly enacted Chapter 1014 of the 1983 Session Laws (Regular Session, 1984) or House Bill 1633. See Appendix D. The Legislature also gave final approval to House Bill 541, Chapter 969 of the 1983 Session Laws (Regular Session 1984), legislation to provide an income tax credit for purchase of conservation tillage equipment. See Appendix E. Two bills recommended by the committee were approved by one House of the Legislature. Senate Bill 270, a proposal to amend the Well Construction Act to provide for civil as well as criminal penalties, was approved by the Senate but not the House of Representatives. A proposed "Clean

Detergent Act," designed to limit sale of phosphate detergents, was approved by the House but not the Senate. Finally, a proposal to give the Environmental Management Commission powers to assure continued operation of private wastewater treatment plants was recommended by the Study Committee, but was not introduced in 1984.

COMMITTEE PROCEEDINGS AND IDENTIFICATION OF ISSUES

The Committee on Water Pollution Control met three times in November of 1984. Based on its meetings prior to the 1984 Session of the General Assembly, the legislative session itself, and a review of water pollution program status presented at the first November meeting, the study committee identified several issues related to water quality and water pollution control. These issues are outlined below. To the extent the study committee has specific proposals in response to these issues, they are outlined in the Recommendations section.

ISSUES

1. The problem of toxic chemicals and their effect, and perceived effect, on the quality of surface water and groundwater in North Carolina. Toxics affect the viability of water quality for recreation, wildlife and public water supplies as well as the public's perception of water quality. The manufacture and use of chemicals have increased dramatically in recent years. There are tens of thousands of chemical compounds in use today with about 2000 new chemicals being produced yearly. To ensure the protection of our natural resources and the health of the citizens of the State, we must direct the necessary resources to ensure that such chemicals are not improperly manufactured, used, or handled in ways that may result in environmental damage. Specific illustrations of where toxics have become major issues are as follows:

1) Biocide investigation

2) Potential trace organics in the Haw River Basin

3) Biological monitoring of urban and other streams that indicate toxic effects

4) Mercury in the Abbotts Creek arm of High Rock Lake - led to fish contamination and potential human health concerns

5) Appearance of heavy metals and other toxic substances in water systems located in industrialized urban areas of the state

The trace organics issue in water supplies has risen most recently concerning the Haw River and Jordan Reservoir; but all developed watersheds in North Carolina that are used for water supply represent a potential for introduction of trace organics. Many citizens of North Carolina depend on surface water supplies for their drinking water.

According to the Department of Natural Resources and Community Development, 194 individual tests have been conducted to date at 133 individual facilities. There have been 89 tests conducted at municipal facilities with 45% indicating toxicity and 105 tests conducted at industrial facilities with 70% of these tests indicating toxicity. These tests have been conducted at those facilities suspected to be toxic, not by random sampling. These figures illustrate the magnitude of the job to be undertaken when we consider that North Carolina has over 2700 permitted dischargers.

The General Assembly, in its 1984 short session, recognized these concerns and provided additional funding for this very important activity: $550,272 was appropriated for the initial expansion of the Statewide Toxics

Program. These funds provided 14 positions within the Division to increase efforts and capabilities concerning toxics. To date, all but one of these positions have been filled. These positions are located in the Department's Regional Offices, Technical Services, Compliance and Permitting, Planning, and the Lab to provide a framework for an expanded Toxics program.

Work to date has already served to eliminate known toxic situations and has uncovered problem compounds whose impact has nationwide implications. The Committee was made aware of the work done by the Department concerning Biocides. Investigations revealed a group of compounds called tri-organotins to be very toxic and also to be commonly used throughout North Carolina as well as the nation. In November 1984, the Environmental Management Commission adopted new water quality standards for the State and one of those standards was for this group of compounds; thus North Carolina became the first state in the United States to do so.

While the State's approach is well founded and the results to date very beneficial, it is important to expand our capabilities. The Department of Natural Resources and Community Development has included as an expansion item in its biennial budget requests a request for $800,000 to provide 30 new positions and operations funds for this program. This is the Department's number one expansion request. NRCD has also requested funds for additional laboratory space which will be necessary to provide adequate work space for the staff of this program. This is the Department's number one capital improvement request. Elements of the expanded program will include:

1) Cumulative and Additive Impacts: There are numerous streams in North Carolina that have multiple discharges. As found in evaluations of the Deep River, toxic effects may become more severe in such situations.

2) Drainage Area Evaluations: The State is now going beyond just evaluating one discharge in a drainage area. It is necessary in some cases to address several discharges in a particular area simultaneously to allow recovery of the stream's quality. Also, as the Environmental Management Commission considers reclassification of the State's waters as drinking water (Haw and French Broad), NRCD must be able to answer questions of toxicity and public safety.

Other areas of interest are:

1) Compliance Activities

2) Instream Toxicity Evaluations

3) Analytical Support

4) Chronic Toxicity Evaluations and

5) Chemical Toxicological Database Development

2. The problem of sediment entering North Carolina waters. Studies conducted within the Department of Natural Resources and Community Development have identified sediment as the most widespread water quality problem in North Carolina. Sediment impacts streams in several ways. Eroded sediment may gradually fill lakes and navigable waters or increase drinking water treatment costs. Sediment may clog the gills of fish, eliminate the available habitat of organisms which serve as food for fish, or even completely cover shellfish beds. Sediment also serves as a carrier for other pollutants. A large portio of the nutrients, especially phosphorus, entering waters through runoff is attached to sediment. Toxic metals from urban runoff are also associated with sediment.

In 1984, the General Assembly enacted two pieces of legislation designed to have an effect on the problem of sediment entering our waters.

Chapter 1014 of the 1983 Session Laws (regular Session 1984) amended the Sedimentation Pollution Control Act of 1973 to give the Sedimentation Control Commission expanded authority. See Appendix D. Chapter 969 of the 1983 Session Laws (regular Session 1984) provides a tax incentive to encourage purchase and use of conservation tillage equipment. See Appendix E.

In North Carolina, relatively large inputs of nutrients and other chemicals, such as pesticides, are required to maintain high levels of crop production. When these materials are removed from the field through rainfall runoff, the farmer is losing valuable agricultural assets. At the same time, these assets may be delivered to the state's stream system and become pollutants. The entry of sediment, nutrients, pesticides, and animal wastes into streams impacts adversely on the general public use of these waters as well as reducing the supply of clean water.

One of the major detriments to our land resource is soil erosion, the movement of soil from one place to another by water and wind. Although erosion is a continual process, it is accelerated by activities such as farming, construction, mining, or any other activity which removes vegetative cover for a period of time. Gross erosion from all sources in North Carolina is nearly 80 million tons annually. Due to the large acreage of cropland, erosion from cropland accounts for 64% of this total. Over time, losses this great can have a dramatic effect on the productive potential of the land base.

A recent erosion study of the Upper Neuse River Basin shows that almost 600,000 tons of soil erodes annually on cropland in the Basin. If the current rate continues to the year 2000, 98% of the land will have suffered losses in production potential that cannot be recovered.

Sediment, the end product of erosion, is that portion of eroded soil which enters a water body. By volume, sediment is the largest pollutant of surface water in North Carolina. It is estimated that about 25% of eroded soil actually becomes sediment. When eroded soil reaches a water body in the form of sediment, impacts on both the physical and biological character of the water body become evident. In addition, sediment can also transport phosphorus and pesticides which the farmer needs for production and which adversely affect water quality.

A number of best management practices have been identified which can reduce non-point source pollution and prevent water quality problems from sediment erosion. The North Carolina Agricultural Research Service has shown that grassed waterways, buffer strips, minimum or non-till planting, and soil testing can all be beneficial for water quality.

In addition to sediment from agricultural activities, forestry operations, mining and construction sites are also sources of sediment runoff. Many agencies have incorporated water quality concerns into on-going programs, but the State needs to insure that the momentum developed in recent years is maintained.

The lead agencies for managing the activities that often cause sediment to enter streams are the Division of Land Resources (construction, mining), and the Division of Soil and Water Conservation (agriculture). The Division of Environmental Management is responsible for monitoring the streams and evaluating the impacts. The Department of Natural Resources and Community Development has requested increased funds, about $600,000 for 1985-86 and $910,000 for 1986-87, to carry out provisions of the Sedimentation Pollution Control Act of 1973.

3. The problem of protection of North Carolina's groundwaters.

Approximately 60% of North Carolina citizens depend on groundwater for their domestic water supply. With adoption by the Environmental Management Commission of amendments to groundwater classifications and standards, effective January 1, 1984, the Department of Natural Resources and Community Development began to implement a statewide groundwater protection program and established permitting procedures to protect the State's groundwater from pollution from industrial, municipal and commercial waste treatment and disposal facilities. Groundwater monitoring is now required of all facilities known or suspected to represent a threat to groundwater quality. In addition, field studies of groundwater quality near waste disposal facilities in typical geologic terrains are in progress.

The key to protecting our groundwaters is pollution prevention. Response to existing problems, however, is and will continue to be the focus of much of the State's activity in years to come. Of the many activities uncontrolled by our permitting process which affect groundwater quality, leaking underground storage tanks are the most significant, both in number and in severity of pollution. According to NRCD estimates, there are approximately 250,000 or more underground storage tanks in North Carolina for storage of petroleum products alone. The average life of these tanks is 15 to 20 years and an estimated 25% of those that exist are over 15 years old. In a recent survey of state owned tanks alone, 30 of the 1600 tanks inventoried were over 15 years old and 25% had been in the ground more than 21 years.

Groundwater pollution resulting from leaking tanks is difficult to clean up; and restoration costs are enormous, estimated at approximately $100

per gallon. NRCD groundwater staff are currently engaged in response activities involving about 32 incidents of leaking tanks. More are reported each week. Staff from the Department of Human Resources' Division of Health Services and NRCD are cooperating through an inter agency committee created to define the role of each agency to avoid duplication of effort and to identify appropriate and compatible laboratory techniques to analyze this threat to both public health and the environment. In addition to the need to respond to the increased incidence of leaking tanks, it is evident that the need to protect the health and environment of our citizens and the high cost of such response suggest that we concentrate on preventing future leaks through an effective underground storage tank management program. Such a program should include registration of tanks, performance standards, leak detection and inventory control, leak reporting requirements, provisions to insure corrective action and penalties.

The Department of Natural Resources and Community Development has included in its 1985-87 budget requests an item for groundwater protection including both pollution response and monitoring. These items total almost $540,000 for 1985-86 and just over $688,000 for 1986-87. In addition, the Department has sought enactment of legislation to amend the North Carolina Well Construction Act, Article 7 of Chapter 87 of the General Statutes to provide for imposition of civil as well as criminal penalties by the Environmental Management Commission in situations where there is a violation of the Act or an order issued pursuant to the Act.

4. The problem of nutrients in North Carolins waters. With continued urbanization, industrialization, and a definite trend of intensive agricultural practices and large areas of land clearing, the issue of eutrophication of water

bodies has become a major concern. Euthrophication means the overenrichment of a water body and can lead to massive algal and aquatic weed growth which impair the intended uses of those waters. The Chowan River has been experiencing increasingly severe water quality problems since the early 1970's. Overenrichment with two nutrients, nitrogen and phosphorus, has led to extensive summer algae blooms on the Chowan. Commercial fishing has declined dramatically over the same period.

The problem of nutrient enrichment or eutrophication is beginning to affect other water bodies in North Carolina. The population of North Carolina continues to increase and more new industries are discharging wastes into our streams and rivers each year. Additional nutrient problems have already surfaced in the lower Neuse River Basin. Nutrient levels in the lower Neuse are now greater than those in the Chowan. Blue-green algal blooms covered large expanses of the lower Neuse during this past summer. Concern about the water quality of Falls of the Neuse and B. Everett Jordan Lakes has also centered around nutrient enrichment. Isolated blooms of algae have already appeared in both bodies of water.

The Chowan River, Falls Lake and Jordan Reservoir have been classified "Nutrient Sensitive Waters." Other areas, such as the remainder of the Neuse River Basin, are also under close review and may also be classified Nutrient Sensitive. The Environmental Management Commission, at their October 1984 meeting in New Bern, heard a recommendation that "Nutrient Sensitive Waters" be considered for the Neuse.

The General Assembly in 1984 appropriated $346,000 to provide eight positions and support funds to expand efforts in this area. All of these

positions have been filled. They are in Technical Services, Compliance, and Planning. With these funds, the Department has been able to look closely and monitor these water bodies and publish reports on what was found.

With additional waters of the State being classified Nutrient Sensitive several activities will be essential to implement the requirements and regulations that accompany such a classification. Compliance activities will be paramount in our follow-up actions in these areas. Existing dischargers as well as future facilities will require additional monitoring, evaluations, and technical assistance to ensure that water quality standards are achieved and our waters are improved.

Local governments, cities, and towns in areas with a "Nutrient Sensitive Waters" classification must begin to address development densities, stormwater runoff, hazardous waste storage, and other factors in order to protect water quality. Current State programs are not staffed to provide the necessary data and assistance to local governments (Guilford, Canton). Additional evaluations will be essential to locate and address non-point sources including sediment runoff, urban runoff and agricultural runoff. Regulatory and enforcement activities must be equipped to pursue the development of more definable and sophisticated water quality standards, predictive model development, treatment technologies as well as to define critical areas within watersheds that may require immediate attention.

To perform these activities, the Department has included as an expansion item a request for $315,804 in the biennium budget to fund the remainder of the "Nutrient Sensitive Waters" Program. This will support eleven positions that will allow sufficient staff to accomplish the objectives and goals of the Nutrient Sensitive Waters Program with the Division.

With specific reference to phosporus overenrichment, the Committee again heard testimony on the relative effect and cost of prohibiting or restricting levels of phosphorus in household laundry detergents versus locally funded efforts to remove phosphorus at wastewater treatment plants.

5. The need to protect North Carolina's coastal resources.

Approximately 315 miles of ocean shoreline are contained in the State. This area consists of 2.3 million acres of estuarine salt marsh, basys, sounds, rivers and creeks. Adjoining these salt marshes are 1.5 million acres of natural freshwater pocosin wetlands distributed throughout the coastal counties. This coastal area provides North Carolina citizens and out-of-state visitors with many diverse recreational and economic opportunities. Of these, the commercial fishing and recreation industries have historically been the economic mainstays for the coast's permanent residents. In 1979, the North Carolina Division of Marine Fisheries conducted a special survey which determined that the overall economic value of the commercial and recreational fishing industry was approximately $325.6 million in 1978. Tremendous economic value also lies in the real estate development potential of the coastal region. Waterfront developments, including condominiums, golf courses, and marinas, have made this area attractive for vacation homes and retirement communities.

The highly productive soils of the Coastal Plain have led to extensive agricultural and forestry development in the region. This development has brought into focus some of the potentially conflicting economic interests in the area. In order for the flat, water-saturated land to be productive for agriculture, it must be drained of excess water. Fishermen view this freshwater

drainage into sensitive estuarine areas as a potential threat to the well-being of their industry. Most of the commercially important species of salt water organizations rely on the brackish estuarine waters for their early development. These drainage waters not only alter short-term salinity patterns in these areas, but they may also carry higher loads of nutrients, sediments, and pesticides into these development areas. It is important to realize that increased freshwater runoff can be caused by many factors: increased impervious areas caused by urban development, land clearing and channelization. The protection of coastal areas from freshwater pollution must be a high priority. Specific controls and programs must be developed and made available if we are to control and manage freshwater runoff. The Division of Environmental Management in the Department of Natural Resources and Community Development is developing a water quality classification to provide special protection for certain valuable coastal waters called primary nursery areas, defined by NRCD's Division of Marine Fisheries as "those areas in the estuarine system where initial post-larval development takes place." These areas are usually located in the upper-most sections of a system where populations are uniformally sized early juveniles. Species using these critical areas of North Carolina's coastal waters have accounted for more than 90% of the commercial landings during recent years. These primary nursery areas are being impacted by altered salinity regimes, increased pollutant loadings, and habitat destruction. Sampling in 1981-82 by the Division of Marine Fisheries indicated that more than 75 species were using the primary nursery areas. However, brown shrimp are among the most abundant, most commercially important, and most sensitive to environmental conditions. Therefore, recommended standards have been developed with emphasis upon the brown shrimp as a indicator species.

According to NRCD, primary nursery areas could be designated as a separate water classification by the North Carolina Environmental Management Commission. Numerical or narrative water quality standards would then be assigned to this classification. Areas designated as primary nursery areas by the Division of Environmental Management would be identical to those designated by the Division of Marine Fisheries, the division that has been officially designating such areas since the late 1970's. In most cases, standards adopted for PNA's would closely parallel those of the existing tidal salt water classifications since they were designed for protection of marine aquatic life. But, areas such as salinity, temperature, and sediment would be identified as critical for acute protection. The most notable exception would be the inclusion of a numerical standard for salinity in response to the issue of freshwater intrusion. The Division has been examining the salinity tolerance and preference of species in primary nursery areas as well as the salinity levels in the areas when catches are good. Before a classification system can be adopted, it is necessary to: (1) evaluate the technical basis for implementation; (2) establish a regulatory framework; and (3) perform toxicity bioassays on juvenile organisms in the primary nursery areas.

The Department of Natural Resources and Community Development's list of expansion budget needs for 1985-87 includes requests for $330,020 for 1985-86 and $263,181 to provide staff and support for the soil and water division and to implement two projects recommended by the Governor's Coastal Water Management Task Force: control of saltwater intrusion into cropland and freshwater intrusion into saline nursery areas. Other related requests include:

(1) $184,259 in 1985-86 and $185,307 in 1986-87 to process permits and enforcement under the Coastal Area Management Act and compensate for lost federal funds.

(2) $85,000 in 1985-86 and $138,392 in 1986-87 to expand the shellfish program in the Division of Marine Fisheries.

(3) $143,010 in 1985-86 and $78,591 in 1986-87 to enhance and computerize license and data management capabilities within the Division of Marine Fisheries.

(4) $332,000 in capital improvement requests to provide for additiona office space for the Division of Marine Fisheries at its main office facility in Morehead City.

(5) $500,000 in each year of the biennium in capital improvement requests to provide a reserve for beach access, walkways, parking areas and other support facilities to enable North Carolina citizens to use their own publicly owned beaches.

6. The need for adequate wastewater treatment by local government utilities. G. S. 143-215.67 requires that wastewater in excess of a plant's capability to treat should not be accepted, unless authorized by the Environmental Management Commission. It has become clear that many municipalities in North Carolina do not yet comply with state water quality requirements. Many facilities have inadequate collection and/or treatment facilities, resulting in the discharge of improperly treated wastewater. A major concern that has arisen is that of funding adequate treatment systems. Federal construction grant monie are not projected beyond fiscal year 1985. Historically, federal funding has accounted for 75% of the cost of these systems with state and local governments equally dividing the remainder. The present picture shows a reduced level of federal participation, 55%, with no allowance for growth or collector systems, and, because we have exhausted funds made available through the Clean Water Bond Act, no State participation. The local sales tax option approved by the

1983 General Assembly will help local governments fund their treatment needs; however, it is going to be essential for local governments to plan effectively for the financing of wastewater treatment facilities. It is important to expect North Carolina local governments to comply with state water quality laws and to set an example for other water users in the State. This will not be possible unless there are financing resources and a strong local commitment to compliance. At present, 150 municipalities are under a moratorium preventing additions to their waste treatment plants. Of these, 120 are consistently on the list with about 30 others whose identities vary. The Department of Natural Resources and Community Development has requested expansion budget funds totalling $197,092 for 1985-86 and $196,118 in 1986-87 to provide technical and financial aid to community water systems as well as $81,592 for 1985-86 and $81,626 for 1986-87 to develop a more efficient and less costly system through which the Water Quality Section can monitor wastewater treatment plants.

In addition, the Department has sought enactment of legislation to protect the State's waters from pollution caused by private wastewater treatment (or "package" plants). See Appendix F. The Department has also urged enactment of the proposed Clean Detergent Act (Appendix H) to alleviate the pressure on municipal wastewater treatment operations to remove phosphorus from the waters.

7. The need for planning and participation in joint and matching programs. The magnitude and complexity of the problems described above illustrate the need to plan for the future rather than react to existing dangers through expensive and corrective measures. In its expansion budget requests for the biennium, the Department of Natural Resources and Community Development has included a number of items focused around early action and cooperative

approaches to deal with potential problems before they reach the crisis stage. Among these are projects to provide for a cooperative program between NRCD and the U. S. Geodetic Survey ($93,000 for each year of the biennium), a proposal to fund an early action program to control hydrilla and other acquatic weeds ($79,149 for 1985-86 and $77,177 for 1986-87), support for emergency response teams ($37,063 in 1985-86 and $8,166 in 1986-87), funds to develop and maintain river basin plans ($85,689 for 1985-86 and $114,278 for 1986-87), increased staff and support for field activities in the State's Soil and Water Conservation districts ($79,859 for 1985-86 and $76,605 in 1986-87) and funds to provide for long term planning and assessment within the Department ($83,227 in 1985-86 and $84,317 in 1986-87). The Department's capital expansion requests include $1,250,000 in each year of the biennium to provide a reserve fund for the State share of civil works projects for navigation, flood control, drainage, beach protection and recreation; and $300,000 in each year of the biennium to continue the Watershed Grant Program.

Among the most successful of programs oriented to long term success has been the Pollution Prevention Pays Program, involving education, technology assistance and transfer, and research to help industry eliminate pollution at the source. The Department has sought to expand its educational approach by urging enactment of legislation to fund educational activities with funds collected as a result of fines imposed by the Environmental Management Commission under Article 21 of Chapter 143 of the General Statutes. See Appendix I.

1. Control of Toxic chemicals in North Carolina waters.

A. The Committee recommends that the General Assembly appropriate $800,000 in each year of the 1985-87 biennium, consistent with the top priority of the Department of Natural Resources and Community Development, to implement the program to control the discharge of toxic substances into the State's waters.

B. The Committee recommends that the General Assembly appropriate $5,150,800 in 1985 to expand the existing laboratory and office space to enable the Department to implement the statewide toxics program.

2. Efforts to reduce sediment entering North Carolina waters.

A. The Committee recommends that the General Assembly appropriate $595,270 to provide for 19 new positions in 1985-86 and $910,083 to provide for 28 positions in 1986-87 to effectively administer and enforce the Sedimentation Pollution Control Act of 1973. Funds would increase the field, legal and administrative staff, for review and approval of sediment control plans, to inspect and monitor sediment control on construction projects, to assist local government sediment control staffs and to educate those in the

construction industry about effective sedimentation pollution control.

3. Increased efforts to protect North Carolina's groundwaters.

A. The committee recommends that the General Assembly appropriate $539,753 in 1985-86 and $688,209 in 1986-87 to provide for 12 new positions in the first year of the biennium and 8 more in the second year to establish a Groundwater Protection Program and establish the capability to respond to existing pollution problems, including those caused by leaking underground storage tanks, by conducting containment and remedial action activities. Of these funds, $129,700 in fiscal year 1986 and $140,000 in fiscal year 1987 would be for problems associated with underground storage tanks: six technicians (one in each region), one engineer and one hydrologist as well as leak detection, testing and recovery equipment.

B. The Committee recommends that the General Assembly enact legislation to provide for civil as well as criminal penalties to be imposed on those who violate the North Carolina Well Construction Act. See Appendix G.

4. Implementation of a nutrient sensitive watershed program.

A. The Committee recommends that the General Assembly enact legislation to restrict phosphorus levels in household

laundry detergents. While this restriction will not solve all of the phosphorus problems in North Carolina, it is a cost effective first step which will begin to reduce the input of excessive levels of phosphorus to the State's surface waters. See Appendix H.

B. The Committee recommends that the General Assembly appropriate $315,804 for 1985-86 and $293,172 for 1986-87 to evaluate the waters of the State to identify those that are nutrient sensitive and those where entrophication trends are occurring.

C. The Committee endorses programs to implement "Best Management Practices" in our agriculture and forestry sector, to expand water quality management and to control both urban and agricultural sedimentation.

5. Protection of North Carolina's coastal resources.

A. The Committee recommends that the General Assembly appropriate $330,020 in 1985-86 and $263,181 in 1986-87 to provide essential staff (an added four positions) and support for the Soil and Water Division to expand and upgrade the State's costal water management program.

B. The Committee recommends that the General Assembly appropriate funds to meet capital needs as follows:

1. $332,000 to provide for additional office space at the office of the Division of Marine Fisheries at Morehead City.

2. $500,000 in each year of the biennium to create a reserve for beach access projects; to partially meet projections of minimum unmet needs for 1985-87, including six regional accesses, 54 neighborhood accesses, 60 local accesses and initiation of estuarine accesses.

C. The Committee recommends that the General Assembly appropriate $184,259 in 1985-86 and $185,307 in 1986-87 to provide for increased staff necessary to process development permits within deadlines required by statute under the Coastal Area Management Act.

D. The Committee recommends that the General Assembly appropriate funds to the Division of Marine Fisheries as follows:

(1) $85,000 in 1985-86 and $138,392 in 1986-87 to expand the State's shellfish program; to increase oyster and clam production through increased cultch plantings in shallow waters and increased relaying of polluted and slow-growth stocks of oysters and clams to favorable growing and harvesting areas.

(2) $143,018 in 1985-86 and $78,591 in 1986-87 to improve the Division's license and data management; to develop and implement computer systems for the processing, storage, mapping and retrieval of management and administrative data collected by the Division, to be used by the Division and the

Marine Fisheries Commission to develop, update and improve management of North Carolina's marine resources.

6. Expanded efforts to fund and improve wastewater treatment.

A. The Committee recommends that the General Assembly enact legislation to provide for local review of waste discharge permits for private residential/commercial development. In order to insure good, long-term operation of private residential wastewater treatment systems, a mechanism for backup operation needs to be established. Because these systems are essentially public service operations, involvement of the local government in the permitting and long-term stability of these operations is needed. The proposed legislation would involve local government in public review of draft permits issued by the Environmental Management Commission under G.S. 143-215.1. In addition, at the option of the local government any private residential development requesting permission to discharge wastewater would be required to post a bond payable to the local government for ongoing operation if the permit holder fails to operate the system adequately. Agreement by a local government that a permit to a private residential development should be issued would represent a commitment by the local government to take over operation should the permittee fail to provide adequate operation. No permit would be

issued if the local government advised the commission that the local government could not operate and maintain the system if the owner ceased to do so. The term "Private Residential/Commercial Development" in the context of this program means any multifamily (more than three units) housing development or any private commercial operation which results in the production of only domestic type wastewater. See Appendix F.

B. The Committee recommends that the General Assembly appropriate $197,092 in 1985-86 and $196,118 in 1986-87 to provide technical and financial aid to community water systems and for water conservation, development of new water supply sources and preparation of local water resource plans; and that the General Assembly appropriate $81,592 in 1985-86 and $81,626 in 1986-87 to provide a more efficient and less costly system to enable the Water Quality Section to enter Daily Monitoring Reports for wastewater treatment plant from regional offices.

7. Improved longrange planning and participation in joint and matching programs.

A. The Committee recommends that the General Assembly enact legislation to permit the Environmental Management Commission to use funds collected through fines to provide educational programs for state and local government officials, persons engaged in air and water pollution control activities and other citizens.

B. The Committee recommends that the General Assembly appropriate funds to establish reserves as follows:

(1) $1,250,000 in each year of the biennium, reserve for civil works projects: navigation, flood control, drainage, beach protection and recreation.

(2) $300,000 in each year of the biennium for a small watershed reserve to allow the state, through the Soil and Water Conservation Commission, to assist local sponsors of projects.

C. The Committee recommends that the General Assembly appropriate funds to meet program needs within the Department of Natural Resources and Community Development, as follows:

(1) $79,149 in 1985-86 and $77,177 in 1986-87 to initiate a strong program to control acquatic weed infestation.

(2) $37,063 in 1985-86 and $8,166 in 1986-87 to provide personal protective equipment and a more effective radio system for regional emergency response team members.

(3) $79,859 in 1985-86 and $76,605 in 1986-87 to provide Soil and Water Conservation Representatives in the Fayetteville, Mooresville and Winston-Salem regional offices of the Department of Natural Resources and Community Development.

D. The Committee recommends that the General Assembly appropriate funds for planning and joint program participation as follows:

(1) $93,000 in each year of the biennium for joint participation on the part of the Department with the United States Geodetic Survey in a cooperative program to provide hydrological data and analysis essential in planning projects for water supply, water quality, hydro-power, flood control and bridge and highway design.

(2) $85,689 in 1985-86 and $114,278 in 1986-87 to develop and maintain river basin plans to guide development and conservation of the state's water and related land resources. Recognizing the interdependent nature of various uses of water within a single river basin, these plans will identify, prioritize and recommend water resources management actions to protect the environment from damage and to assure water availability for sound economic development.

(3) $83,227 in 1985-86 and $84,317 in 1986-87 to help the Department determine the status and trends in the use of our natural resources; to develop and maintain an environmental indicators program; to provide accurate systematically collected information on changes in air, water, land and coastal quality.

E. The Committee endorses the Pollution Prevention Program within the Division of Environmental Management through which the department will be able to focus on ways to reduce and eliminate causes of pollution and through which adequate information can be generated in relation to what common obstacles to pollution prevention exists within the regulated community and, thus, what technical, research or other services should be provided to overcome these obstacles.

The Committee recognizes that it is environmentally, technically and economically superior to eliminate the sources of pollution before cleanup problems are created. The committee believes that the pollution prevention approach provides a positive and non-regulatory framework for industry, state and local governments, the research community and citizen groups to work cooperatively in addressing the problems of toxic and hazardous substances by emphasizing the prevention of accumulated wastes through the modification of production, processes and the use of less hazardous inputs to these processes and by promoting the use of technologies that recycle, recover, detoxify and destroy hazardous waste. The pollution prevention approach provides a unifying theme through which to protect the public's health and the integrity of our ecosystems because the approach can be applied generally to management of toxic substances whether these substances are defined as

substances, materials or waste and regardless of whether they are discharged into the air, water, land or the workplace.

F. The Committee recommends the continuation of the study of the adequacy of existing water pollution control program to improve and protect water quality in the state. Water is one of our most valuable natural resources and a clean water supply is important to the health and well-being of our citizens and is basic to North Carolina's long-term economic growth. The Commission on the Future of North Carolina in its report, The Future of North Carolina, Goals and Recommendations for the Year 2000, has pointed out that the state's "economic growth sought for tomorrow requires investments today in water supply (and) wastewater systems" and has recommended strengthened efforts and expanded resource allocations to clean up and prevent water pollution, to "ensure an adequate supply and equitable allocation of water resources," and to "stop erosion and fertility loss of productive soil and reduce water pollution from sedimentation." Because of the continued importance of these issues, the committee recommends that the General Assembly authorize the Legislative Research Commission to continue to study the adequacy of existing water pollution control programs to improve and protect water quality in the state, as authorized by subdivision (6) of section 1 of chapter 905 of the 1983 Session Laws. See Appendix J.

APPENDICES

APPENDIX A

MEMBERS, LEGISLATIVE RESEARCH COMMISSION

Senator W. Craig Lawing, Cochairman
Senator William N. Martin
Senator Helen R. Marvin
Senator William W. Staton
Senator Joseph E. Thomas
Senator Russell Walker

Representative Liston B. Ramsey, Cochairman
Representative Christopher S. Barker, Jr.
Representative John T. Church
Representative Bruce Ethridge
Representative John J. Hunt
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GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1983

H

2

HOUSE JOINT RESOLUTION 232
Committee Substitute Favorable 6/16/83

Sponsors: Representative

Referred to: Appropriations.

February 16, 1983

A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE ADEQUACY OF EXISTING WATER POLLUTION CONTROL PROGRAMS TO IMPROVE AND PROTECT WATER QUALITY IN THE STATE.

Be it resolved by the House of Representatives, the Senate concurring:

Section 1. The Legislative Research Commission is authorized to conduct a thorough study of the adequacy of existing water pollution control programs to improve and protect water quality in the State. Specifically, such study shall address the impact of fresh water runoff, nutrients and chemical inputs, waste discharges and other waste contributions to the surface waters throughout the river basins of the State. The Commission may consult with any State agencies it deems appropriate and the study may include, a review of existing water quality classifications and standards, permit and monitoring programs, and the cumulative impact of localized and basin-wide pollutant contributions on water quality. The Commission shall report its findings and recommendations, including

recommendations for needed legislation, to the 1984 Session of the General Assembly.

Sec. 2. This resolution is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1983

H

I

HOUSE BILL 232

Short Title: CAMA Input on Water Permits. (Public)

Sponsors: Representatives Evans; Bruce, Ethridge, Payne, Coble, Adams, Rabon.

Referred to: Natural and Economic Resources.

February 16, 1983

A BILL TO BE ENTITLED

AN ACT TO GIVE CAMA INPUT INTO THE GRANTING OF PERMITS OUTSIDE THE COASTAL AREA THAT AFFECT WATER QUALITY IN THE COASTAL AREA.

The General Assembly of North Carolina enacts:

Section 1. G.S. 113A-125(b) is amended by deleting the second sentence and substituting:

"All permits, special orders or certificates, for water pollution control, issued pursuant to Article 21 of Chapter 143 of the General Statutes which affect coastal water quality shall be administered in coordination and consultation with (but not subject to the veto of) the Commission. No existing permit within the coastal area, or any existing permit affecting coastal water quality shall be issued, modified, renewed or terminated except after consultation with the Commission."

Sec. 2. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

1983 SESSION (REGULAR SESSION, 1984)

RATIFIED BILL

CHAPTER 1014
HOUSE BILL 1633

AN ACT TO AMEND THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973. The General Assembly of North Carolina enacts:

Section 1. G.S. 113A-54(d) is amended by deleting that portion of subdivision (2) that follows the first semicolon, substituting a semicolon for the period at the end of subdivision (3) and adding a new subdivision (4) to read:

"(4) Require submission of erosion control plans by those responsible for initiating land-disturbing activities for approval prior to commencement of the activities. As to those activities requiring prior plan approval, the Commission must either approve or disapprove the plan within 30 days of receipt. Failure to approve or disapprove a complete erosion and sedimentation control plan within 30 days of receipt shall be deemed approval. Denial of a plan must specifically state in writing the reasons for denial. The Commission must approve or deny a revised plan within 15 days of receipt, or it is deemed to be approved.

If, following commencement of a land-disturbing activity pursuant to an approved plan, the Commission determines that the plan is inadequate to meet the requirements of this Article, the Commission may require such revisions as are necessary to comply with this act. The Commission must approve or deny the revised plan within 15 days of receipt, or it is deemed to be approved."

Sec. 2. The last sentence of G.S. 113A-54(f) is repealed.

Sec. 3. G.S. 113A-57 is amended by adding a new subdivision (4) to read:

"(4) No person shall initiate any land-disturbing activity if more than one contiguous acre is to be uncovered unless, 30 or more days prior to initiating the activity, an erosion and sedimentation control plan for such activity is filed with the agency having jurisdiction."

Sec. 4. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 28th day of June, 1984.

JAMES C. GREEN

James C. Green
President of the Senate

LISTON B. RAMSEY

Liston B. Ramsey
Speaker of the House of Representatives

GENERAL ASSEMBLY OF NORTH CAROLINA

1983 SESSION (REGULAR SESSION, 1984)

RATIFIED BILL

CHAPTER 969
HOUSE BILL 541

AN ACT TO PROVIDE AN INCOME TAX CREDIT FOR THE PURCHASE OF CONSERVATION TILLAGE EQUIPMENT FOR AGRICULTURE AND FORESTRY.

The General Assembly of North Carolina enacts:

Section 1. Division I of Article 4 of Chapter 105 of the General Statutes is amended by adding a new section to read as follows:

"§ 105-130.34. Credit for conservation tillage equipment.--(a) Any corporation that purchases conservation tillage equipment for use in a farming business, including tree farming, shall be allowed a credit against the tax imposed by this Division equal to twenty-five percent (25%) of the cost of the equipment. This credit may not exceed two thousand five hundred dollars ($2,500) for any income year for any taxpayer. The credit may only be claimed by the first purchaser of the equipment and may not be claimed by a corporation that purchases the equipment for resale or for use outside this State. This credit may not exceed the amount of tax imposed by this Division for the taxable year reduced by the sum of all credits allowable under this Division, except tax payments made by or on behalf of the taxpayer. If the credit allowed by this section exceeds the tax imposed under this Division, the excess may be carried forward and applied to the tax imposed under this Division for the succeeding five years. The basis in any equipment for which a credit is allowed under this section shall be reduced by the amount of credit allowable.

(b) As used in this section, 'conservation tillage equipment' means:

(1) a planter such as a planter commonly known as a 'no-till' planter designed to minimize disturbance of the soil in planting crops or trees, including equipment that may be attached to equipment already owned by the taxpayer; or,

(2) equipment designed to minimize disturbance of the soil in reforestation site preparation, including equipment that may be attached to equipment already owned by the taxpayer; provided, however, this shall include only those items of equipment generally known as a 'KG-Blade', a 'drum-chopper', or a 'V-Blade'".

Sec. 2. Division II of Article 4 of Chapter 105 of the General Statutes is amended by adding a new section to read:

"§ 105-151.12. Credit for conservation tillage equipment.--(a) Any person who purchases conservation tillage equipment for use in a farming business, including tree farming, shall be allowed a credit against the tax imposed by this Division equal to twenty-five percent (25%) of the cost of the equipment. This credit may not exceed two thousand five hundred dollars ($2,500) for any

income year. The credit may only be claimed by the first purchaser of the equipment and may not be claimed by a person who purchases the equipment for resale or for use outside this State. This credit may not exceed the amount of tax imposed by this Division for the taxable year reduced by the sum of all credits allowable under this Division, except tax payments made by or on behalf of the taxpayer. If the credit allowed by this section exceeds the tax imposed under this Division, the excess may be carried forward and applied to the tax imposed under this Division for the succeeding five years. The basis in any equipment for which a credit is allowed under this section shall be reduced by the amount of the credit allowable.

(b) As used in this section, 'conservation tillage equipment' means:

(1) a planter such as a planter commonly known as a 'no-till' planter designed to minimize disturbance of the soil in planting crops or trees, including equipment that may be attached to equipment already owned by the taxpayer; or,

(2) equipment designed to minimize disturbance of the soil in reforestation site preparation, including equipment that may be attached to equipment already owned by the taxpayer; provided, however, this shall include only those items of equipment generally known as a 'KG-Blade', a 'drum-chopper', or a 'V-Blade'.

(c) In the case of conservation tillage equipment owned jointly by a husband and wife, where both spouses are required to file North Carolina income tax returns, each spouse may claim one-half of the credit allowed by this section or one spouse may claim the entire credit allowed by this section by agreement with the other spouse, provided both spouses were living together at the end of the taxable year and file their separate returns for the taxable year on the combined form."

Sec. 3. This act is effective for taxable years beginning on and after January 1, 1984.

In the General Assembly read three times and ratified, this the 25th day of June, 1984.

JAMES C. GREEN

James C. Green
President of the Senate

LISTON B. RAMSEY

Liston B. Ramsey
Speaker of the House of Representatives

SESSION 1985

INTRODUCED BY:

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO PROTECT THE WATERS OF THE STATE AGAINST POLLUTION FROM PACKAGE PLANTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-215.1(b) is amended by adding a new paragraph at the end to read:

"As a condition of any permit granted under the authority of this section for a sewer system, treatment works or disposal system for a new private residential or commercial development, the Environmental Management Commission may require that the owner of the system or works and the city or county within whose planning jurisdiction the system or works lie enter into an agreement regarding the operation of the system or works. Under the agreement, the county or city may commit itself to take over ownership, maintenance, and operation of the system or works if the Environmental Management Commission issues a written decision, directed to the owner and to the city or county, in the event that the terms of the permit for the system or works have been repeatedly or flagrantly violated. The owner must commit itself to transfer all its title and interest in the system or works to the city or county if and when the Environmental

Management Commission issues the written decision. Further, if the city or county requests, the owner must agree to give to the city or county a bond or other surety that will pay the reasonable expenses of the city or county in repairing, equipping, operating and maintaining the system or works for a period of 5 years after the Environmental Management Commission issues its written decision. The agreement itself must be approved in writing by the Environmental Management Commission. The parties to the agreement may include other provisions compatible with the required provisions set out above. As used in this section, residential development means any multi-family (more than three units) housing development."

Sec. 2. This act is effective January 1, 1986.

SESSION 19 85

INTRODUCED BY:

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE WELL CONSTRUCTION ACT, G.S. 87-83 et seq., TO PROVIDE FOR CIVIL PENALTIES AND CRIMINAL PENALTIES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 87-92 is amended to read as follows:

"§ 87-92. Hearings; Appeals.--Any person wishing to contest a penalty, permit decision or other order issued under this Article shall be entitled to an administrative hearing and judicial review conducted according to the procedures established in G.S. 150A-23 through G.S. 150A-52; provided however, that any such petition for judicial review may be filed in the Superior Court of Wake County or in the county in which the violations occurred. Requests for an administrative hearing must be made in writing and served upon the Environmental Management Commission within 30 days of receipt of notice of the final action giving rise to the hearing."

Sec. 2. G.S. 87-93 is hereby repealed.

Sec. 3. G.S. 87-94 is amended to read as follows:

"(a) Civil Penalties.

(1) Any person who violates, on or after the effective date of this act, any provision of this Article, or any order issued pursuant thereto, or any adopted regulation promulgated

thereunder, shall be subject to an administrative, civil penalty of not more than one hundred dollars ($100.00) for each violation, as determined by the Environmental Management Commission. Each day of a continuing violation shall be considered a separate offense. No person shall be subject to a penalty who did not directly commit the violation or cause it to be committed.

(2) No penalty shall be assessed until the person alleged to be in violation has been:

(A) notified of the violation in accordance with the notice provisions set out in G.S. 87-91(a),

(B) informed by said notice of remedial action, which if taken within 30 days from receipt of the notice, will effect compliance with this Article and the regulations under it, and

(C) warned by said notice that a civil penalty can be asessed for failure to comply within the specified time.

(3) In determining the amount of the penalty, the Commission shall consider the degree and extent of harm caused by the violation, the cost of rectifying the damage, the amount of money the violator saved by his noncompliance, whether or not the violation

was committed willfully, and the prior record of the violator in complying or failing to comply with this Article.

(4) Any person assessed shall be notified of the assessment by registered or certified mail, or other means calculated to provide actual notice, and the notice shall specify the reasons for the assessment. If the person assessed fails to pay the amount of the assessment to the Department of Natural Resources and Community Development, or fails to request an administrative hearing to contest such assessment, within 30 days after receipt of notice, the Commission may request the Attorney General to institute a civil action to recover the amount of the assessment in the superior court of the county in which the person assessed resides or has his or its principal place of business or in which the well is located.

(b) Criminal Penalties. Any person who shall be adjudged to have willfully and flagrantly violated this Article shall be guilty of a misdemeanor, punishable by a fine not to exceed one thousand dollars ($1,000) for each violation."

Sec. 4. G.S. 87-87 is amended by adding a new subdivision (5):

"(5) Neither adopt nor enforce any rule or regulation that concerns the civil liability of an owner to a well driller for any costs or expenses of drilling and installing a well for the owner."

Sec. 5. This act is effective January 1, 1986.

SESSION 19 85

INTRODUCED BY:

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR THE SALE OF CLEAN DETERGENTS IN NORTH CAROLINA.

The General Assembly of North Carolina enacts:

Section 1. Article 44 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"14-346.3. Sale of cleaning agents containing phosphorus.--(a) No person shall sell any cleaning agent which contains more than five-tenths percent (0.5%) phosphorus by weight, other than a cleaning agent for machine dishwashing or cleansing of medical and surgical equipment.

(b) No person shall sell any cleaning agent for machine dishwashing or cleansing of medical and surgical equipment that contains more than eight and seven-tenths percent (8.7%) phosphorus by weight.

(c) No person shall sell any chemical water conditioner that contains more than twenty percent (20%) phosphorus by weight.

(d) For purposes of this section:

(1) 'cleaning agent' means any laundry detergent, laundry additive or dishwashing compound.

(2) 'chemical water conditioner' means a water softening chemical or other substance

containing phosphorus and intended to treat water for machine laundry use.

(e) Cleaning agents used for industrial processes and cleaning, or for cleansing dairy equipment, or for other agricultural uses are not subject to this section.

(f) Any person who violates any provision of this section shall be guilty of a misdemeanor punishable by a fine not exceeding five hundred dollars ($500.00)."

Sec. 2. This act shall become effective January 1, 1986.

SESSION 19 85

INTRODUCED BY:

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH EDUCATIONAL PROGRAMS FROM SUMS RECOVERED UNDER G.S. 143-215.6(a).

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-215.3(a) is amended by adding a new subdivision to read as follows:

"(15) To conduct educational programs in air, groundwater and water pollution control. These programs shall be directed towards state and local government officials, persons engaged in air and water pollution control activities and the citizens of the State of North Carolina."

Sec. 2. G.S. 143-215.6(a) is amended by adding a new subdivision to read:

"(5) Any sums recovered pursuant to this subsection on or after July 1, 1985 may be used to conduct educational programs consistent with the requirements of Articles 21, 21A and 21B of this Chapter; but the total amount that may be used to conduct such programs shall not exceed one hundred thousand dollars ($100,000) in any fiscal year."

Sec. 3. There is appropriated from the General Fund the sum of sixty thousand dollars ($60,000) to replace funds allocated from receipts collected pursuant to G.S. 143-215.6(a) in the budget of the Division of Environmental

Management of the Department of Natural Resources and Community Development.

Sec. 4. This act is effective July 1, 1985.

SESSION 19 83

INTRODUCED BY:

Referred to:

A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO CONTINUE ITS STUDY OF THE ADEQUACY OF EXISTING WATER POLLUTION CONTROL PROGRAMS TO IMPROVE AND PROTECT WATER QUALITY IN THE STATE.

Be it resolved by the House of Representatives, the Senate concurring:

Whereas, subdivision (6) of section 1 of chapter 905 of the 1983 Session Laws (House Bill 1142) authorized the Legislative Research Commission to study the issues raised by House Joint Resolution 232, namely the "adequacy of existing water pollution control programs to improve and protect water quality in the State"; and

Whereas, the Legislative Research Commission's Committee on Water Pollution Control met four times prior to the Regular 1984 Session of the 1983 General Assembly; addressed a number of water-related issues, notably the effects of toxic chemicals, nutrients and sedimentation on North Carolina's waters, problems of freshwater runoff into our coastal waters and the problems of wastewater treatment and water quality management; and

Whereas, the Commission on the Future of North Carolina in its report, The Future of North Carolina, Goals and Recommendations for the Year 2000, has pointed out that

the state's "economic growth sought for tomorrow requires investments today in water supply (and) wastewater systems" and has recommended strengthened efforts and expanded resource allocations to clean up and prevent water pollution, to "ensure an adequate supply and equitable allocation of water resources," and to "stop erosion and fertility loss of productive soil and reduce water pollution from sedimentation;"

Now, therefore, be it resolved by the House of Representatives, the Senate concurring:

Section 1. The Legislative Research Commission is authorized to continue to study the adequacy of existing water pollution control programs to improve and protect water quality in the state, as authorized by subdivision (6) of section 1 of chapter 905 of the 1983 Session Laws.

Sec. 2. The Commission may report its findings, together with any recommended legislation, to the 1985 General Assembly (Regular Session 1986) or to the 1987 General Assembly

Sec. 3. This resolution is effective upon ratification.

APPENDIX K

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